

The Honorable Karen A. Overstreet
Chapter 7
Hearing Location: Courtroom 7206, Seattle
Hearing Date: December 7, 2007
Hearing Time: 9:30 a.m.
Response Date: November 30, 2007

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

In Re:)	Chapter 7
)	No. 07-14143
ROBERT ALLEN WEAN, JR.)	
)	TRUSTEE'S OBJECTION
Debtor.)	TO MOTION FOR RELIEF FROM STAY

COMES NOW Ronald G. Brown, Chapter 7 Trustee, and objects to the motion for relief from stay by Washington Mutual Bank, F.A., in regard to the debtor's real property at 10052 NE 142nd Place, Bothell, Washington as follows:

1. The moving party claims to be the "holder of the note or services the note for the current holder" according to Paragraph II of the motion. However, the Deed of Trust for the real property, attached as an exhibit to the motion, is not in the name of the moving party, but in the name of Homefield Financial, Inc.

2. There is no assignment or other documentation in the movant's pleadings that explains how Washington Mutual Bank acquired an interest in the property or a copy of an original promissory note which it claims to hold.. In addition, the declaration by an authorized representative of the lender does not state that there is no equity in the real property in excess of its secured claim. There appears to be insufficient evidentiary information for the court to rule on the motion.

DATED this 12th day of November, 2007.

/s/ Ronald G. Brown
Ronald G. Brown, WSBA #8816
Chapter 7 Trustee

TRUSTEE'S OBJECTION

RONALD G. BROWN
ATTORNEY AT LAW
2525 WELLS FARGO CENTER
999 THIRD AVENUE
SEATTLE, WASHINGTON 98104
(206) 342-7850 TELEPHONE
(206) 342-7851 FACSIMILE